

STATE OF WASHINGTON

MIKE KREIDLER
STATE INSURANCE COMMISSIONER

Phone: (360) 725-7000



OFFICE OF
INSURANCE COMMISSIONER

FILED

2005 APR -6 A 9:15

DECLARATION OF MAILING

I declare under penalty of perjury under the laws of the State of Washington that on the date listed below, I mailed or caused delivery of a true copy of this document to

DATED this 6th day of April 2005
at Tumwater, Washington.

Signed: W. Galloway

HEARINGS UNIT

Fax: (360) 664-2782

Hearings Unit, DIC
Patricia D. Petersen
Chief Hearing Officer

Patricia D. Petersen
Chief Hearing Officer
(360) 725-7105

Wendy Galloway
Administrative Assistant
WendyG@OIC.wa.gov.
(360) 725-7002

In the Matter of:

CAMERON M. WENDT,

Licensee.

NO. D 05-15

AMENDED
NOTICE OF HEARING

TO: Cameron M. Wendt
4009 N.E. 118th Street
Vancouver, Washington 98686

COPY TO: Mike Kreidler, Insurance Commissioner
Michael G. Watson, Chief Deputy Insurance Commissioner
John Hamje, Deputy Commissioner, Consumer Protection
Carol Sureau, Deputy Commissioner, Legal Affairs
Mary Cotter, Staff Attorney, Legal Affairs
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

The purpose of this Amended Notice of Hearing is solely to correct statements in the first and sixth paragraphs below, as indicated, to accurately reflect the law concerning the stay of action and to accurately reflect the content of the discussion between the parties during the specified first prehearing conference. The remainder of this Notice of Hearing remains the same.

On March 15, 2005, the Insurance Commissioner (Commissioner) received a Demand for Hearing from Cameron Wendt (Licensee). The purpose of said Demand for Hearing is to

Mailing Address: P.O. Box 40255 • Olympia, WA 98504-0255
Street Address: 5000 Capitol Blvd. • Tumwater, WA 98501



contest the Commissioner's Order Revoking License entered January 26, 2005. ~~Licensee's Demand for Hearing was received by the Commissioner before the effective date of the revocation therefore staying the revocation pending the hearing, pursuant to RCW 48.04.020.~~ Accordingly, on March 23, 2005, the undersigned held a first prehearing teleconference in this matter. The Licensee appeared pro se and the Commissioner was represented by Mary Cotter, Staff Attorney with the Commissioner's Legal Affairs Division. During said prehearing conference, the undersigned reviewed administrative procedure and addressed all questions and concerns of the parties. Finally, during the subject first prehearing teleconference, the parties agreed that the hearing in this matter shall be scheduled to commence at **10:00 a.m., on Monday, May 2, 2005**. The purpose of the hearing will be to determine the validity and propriety of the Commissioner's aforereferenced Order Revoking License.

The hearing will be held under the legal authority and jurisdiction granted the Commissioner by the Insurance Code, Title 48 RCW, and specifically RCW 48.04.010. Briefly, the Licensee asserts that revocation of his insurance agent's license could cause him to lose his employment and possibly all of his assets, and that it is unfair because the OIC has already given him his license and now proposes to take it away. The OIC's position is as stated in the aforereferenced Order Revoking License.

The Commissioner will be represented by Mary Cotter, Staff Attorney with the Commissioner's Legal Affairs Division. Her mailing address is P.O. Box 40255 and her telephone number is 360-725-7057. During the first prehearing teleconference, the Licensee indicated that he will represent himself.

The adjudicative proceeding will be conducted pursuant to the requirements of ch. 34.05 RCW, the Administrative Procedure Act, and will be governed by the model rules of procedure, ch. 10-08 WAC. The Licensee may be represented by counsel, and may examine witnesses and fully respond and present evidence and argument on all relevant issues involved.

Based upon a delegation of authority from the Commissioner, the undersigned will conduct the hearing and will make the final decision and enter the final order relative to this matter. Her address is P.O. Box 40255, Olympia, WA 98504-0255 and her telephone number is (360) 725-7105. All communications concerning this proceeding or the issues presented therein, however, should not be directed to the undersigned, but instead should be directed to Wendy Galloway, administrative assistant to the undersigned, identified below.

As above, on March 23, 2005, the undersigned held a first prehearing teleconference in this matter. During said prehearing conference, the undersigned reviewed procedure to be expected before, during and after the hearing and answered all questions of the parties. ~~Of significance, the undersigned advised the parties that, pursuant to RCW 48.04.020(1), the effective date of the Order of Revocation and the date on which the Demand for Hearing was filed, an automatic stay of the Order of Revocation was in place and would continue until a final order on hearing was entered.~~ **Of significance, the undersigned advised the parties that, pursuant to RCW**

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48.04.020(1), because the Licensee failed to file his Demand for Hearing prior to the effective date of the Order of Revocation, an automatic stay of the Order of Revocation is not in place and therefore the Order of Revocation, which by its terms became effective on February 15, 2005, did become effective on that date and remains effective until the final decision after hearing in this matter is entered. The Licensee was further advised that this means that he may not act as an insurance agent in any capacity until that time.

Any future questions or concerns, or requests for additional prehearing conferences, which may arise, may be directed by any party to Wendy Galloway, administrative assistant to the undersigned, who can be reached by telephone at (360) 725-7002, or at the above address.

As required by RCW 34.05.434(2)(I), you are advised that a party who fails to attend or participate in the hearing or other stage of the adjudicative proceeding may be held in default in accordance with ch. 34.05 RCW.

Pursuant to WAC 10-08-040(2) and in accordance with ch. 2.42 RCW, if a limited English-speaking or hearing impaired or speech impaired party or witness needs an interpreter, a qualified interpreter will be appointed. There will be no cost to the party or witness therefore, except as may be provided by ch. 2.42 RCW. A Request for Interpreter form is attached to the original of this Notice, with instructions thereon.

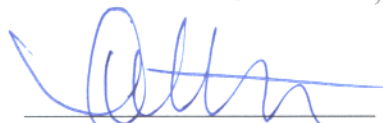
This Notice is provided pursuant to RCW 48.04.010 and RCW 34.05.434.

ORDER

Based upon the above activity,

IT IS HEREBY ORDERED that the adjudicative hearing in this matter shall commence on **Monday, May 2, 2005, at the hour of 10:00 a.m.**, in the Office of the Insurance Commissioner, 5000 Capitol Boulevard, Tumwater, Washington 98501.

ENTERED AT OLYMPIA, WASHINGTON, this 4th day of April, 2005.



PATRICIA D. PETERSEN

Presiding Officer

STATE OF WASHINGTON

Phone: (360) 725-7000

MIKE KREIDLER
STATE INSURANCE COMMISSIONER



OFFICE OF
INSURANCE COMMISSIONER

FILED

2005 MAR 30 A 11:58

Hearings Unit, DIC
Patricia D. Petersen
Chief Hearing Officer

DECLARATION OF MAILING

I declare under penalty of perjury
under the laws of the State of
Washington that on the date listed
below, I mailed or caused delivery
of a true copy of this document to

parties listed below
DATED this 30 day of March 2005
at Tumwater, Washington.

Signed: W. Galloway

HEARINGS UNIT

Fax: (360) 664-2782

Patricia D. Petersen
Chief Hearing Officer
(360) 725-7105

Wendy Galloway
Administrative Assistant
WendyG@OIC.wa.gov.
(360) 725-7002

In the Matter of:

NO. D 05-15

CAMERON M. WENDT,**NOTICE OF HEARING**

Licensee.

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4009 N.E. 118th Street
Vancouver, Washington 98686

COPY TO: Mike Kreidler, Insurance Commissioner
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concerns of the parties. Finally, during the subject first prehearing teleconference, the parties agreed that the hearing in this matter shall be scheduled to commence at **10:00 a.m., on Monday, May 2, 2005**. The purpose of the hearing will be to determine the validity and propriety of the Commissioner's afორereferenced Order Revoking License.

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The adjudicative proceeding will be conducted pursuant to the requirements of ch. 34.05 RCW, the Administrative Procedure Act, and will be governed by the model rules of procedure, ch. 10-08 WAC. The Licensee may be represented by counsel, and may examine witnesses and fully respond and present evidence and argument on all relevant issues involved.

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As required by RCW 34.05.434(2)(I), you are advised that a party who fails to attend or participate in the hearing or other stage of the adjudicative proceeding may be held in default in accordance with ch. 34.05 RCW.

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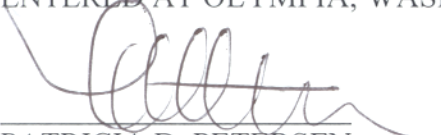
This Notice is provided pursuant to RCW 48.04.010 and RCW 34.05.434.

ORDER

Based upon the above activity,

IT IS HEREBY ORDERED that the adjudicative hearing in this matter shall commence on **Monday, May 2, 2005, at the hour of 10:00 a.m.,** in the Office of the Insurance Commissioner, 5000 Capitol Boulevard, Tumwater, Washington 98501.

ENTERED AT OLYMPIA, WASHINGTON, this 30th day of March, 2005.



PATRICIA D. PETERSEN
Presiding Officer